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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/551,772	10/03/2005	Ezio Bombardelli	2503-1173	5728
	YOUNG & THOMPSON 745 SOUTH 23RD STREET KATAKAM, SUDHAKAR		EXAMINER	
745 SOUTH 23			SUDHAKAR	
2ND FLOOR ARLINGTON,	VA 22202		ART UNIT	PAPER NUMBER
,			1621	
			MAIL DATE	DELIVERY MODE
	•		10/30/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Advisory Action Before the Filing of an Appeal Brief

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Application No.	Applicant(s)	
10/551,772	BOMBARDELLI ET AL.	
Examiner	Art Unit	
Sudhakar Katakam	1621	

Note The Preply was filled after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavil, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods: a) ☐ The period for reply expires 3_months from the mailing date of the final rejection. b) ☐ The period for reply expires 0.1(1) the mailing date of the final rejection. (2) the date set forth in the fluir rejection, whichever is later. In no event, however, will the statutory period for reply expire later than 50x MONTHS from the mailing date of the final rejection. Examiner Note: If the Note is checked, check which he box (a) or (b) ONLY CHECK BOX (b) WHEN THE RIRST REPLY-WAS FILED WITHIN TWO MONTHS OF THE FIRAL REJECTION. See MPEP 706.07(f). ONLY CHECK BOX (b) WHEN THE RIRST REPLY-WAS FILED WITHIN TWO MONTHS OF THE FIRAL REJECTION. See MPEP 706.07(f). **Contactions of time may be obtained und 37 CFR 1.13(6).] The date on which the petition under 37 CFR 1.13(6) and the appropriate extension for under 37 certains of the date of the petition under 37 CFR 1.13(6) and the appropriate extension for under 37 certains of the date of the petition of the date of the petition of the date of the contact of the date of the petition of the date of the	
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P. ☐ The Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a). MENDMENTS	been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).
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13. Other:	12. Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s).
	13. Other:
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Continuation of 11. does NOT place the application in condition for allowance because: Applicant's combined the product claim with the process of making it in such a way that the process steps are not active resulting in a product by process claim. Therefore it remains rejected under 102(b). If the product in the product-by-process claim is the same as or obvious from a product of the prior art, the claim is unpatentable even though the prior product was made by a different process." In re Thorpe, 777 F.2d 695, 698, 227 USPQ 964, 966 (Fed. Cir. 1985).

J. PARSA
PRIMARY EXAMINER